

MARJORIE S. NEWELL, Ph.D.

REC-117P

Dockets
MM 12-266
1106 Westerly Parkway
State College, PA 16801
December 9, 1992

Mr. Alfred Sikes, Chairman
Complaints & Investigation Board
Mass Media Bureau
FCC
1919 M Street, N.W.
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Mr. Sikes:

I have become ever and ever more disgusted with television, especially with cable television. Cable television in this area is a "natural" monopoly, a monopoly because there is only one cable television company and "natural" because without cable, due to the surrounding mountainous terrain, one does not receive television signals, so the TV Cable company has one by the short and curlies.

This situation is, in itself, most annoying but even more annoying is the fact, that although the number of channels has greatly proliferated, the quality of the programs has not, so we get more dreck, enjoy it less and pay more for it. I estimated the cost of subscribing to cable television has increased here by at least 300% since I first subscribed in 1970, perhaps more. (See enclosed copy of letter to TCI of Pennsylvania, our local supplier.)

I have no reason to believe that your agency is seriously concerned with the complaints of individual subscribers but I have decided that multinational corporations need not have all the fun in downsizing. I have been doing the same for some time. This latest small shrinkage in the television marketplace will save me at least \$376.20 per year:

\$321.72 TV Cable Service

54.48 TV Guide plus postage for paying the bill

\$376.20 Total.

There will also be some savings associated with a decrease in consumption of electricity, both from no further use of the TV set and from less heating in the room where formerly TV viewing occurred. (Having discontinued the local newspaper, published by Knight-Ridder, several years ago, that would bring the savings on reduced use of the mass media to \$486.20 per year.) I have nothing against Knight-Ridder except their newspaper is too expensive and they publish too much advertising with an awful waste of woodpulp.

Ofcourse, these savings are very minor when compared to what I have saved by not smoking for a number of years, that must run into the thousands, and I did not quit for health reasons but because they were priced out of my market.

A consumer who is increasingly striking back!

Sincerely,

Marjorie S. Newell
Marjorie S. Newell

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

The Director
Federal Communications Commission
2025 M Stsreet. N.W.
Washington, D.C. 20554

Dear Sir:

Attached is an article (AP) which appeared in the St. Augustine Record of Friday, December 11, 1992. It points out the federal awareness as to **Cable TV rate hikes before the law takes effect**. I am unaware as to the specific date that the Cable Act becomes effective, but I did want to bring to your attention the **abusive rate increases imposed by Cablevision Industries, Inc.** of 6 Wierk Avenue Liberty, New York, 12754. This company has a monopoly on television cable in this community.

My records do not go back further than 1990. The following are the charges from 1990, to the announced increase for 1993.

November 1990	\$ 16.65
November 1991	\$ 18.95
January 1992	\$ 20.95
January 1993	\$ 23.20

You will note that the increase over the past years will amount to \$ 6.55 or about 39%. If I recall correctly, the initial rates were in the eleven dollar range, meaning that it has risen over **100%** over these recent years, which is surely far in excess of the national rate of inflation over the same period.

Whether the recently announced rate increase is legal, I do not know, but I do know that this is part of the ongoing price gouging that this community has been a victim of over he recent years. Inasmuch as this industry was unregulated in any way, no local or state agency had any jurisdiction over its business practices. I would appreciate any action that the FCC can take in this matter.

Sincerely

Bernard E. Nadeau

Encl: Proposed rate increase by CVI. & AP article.

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FCC - MAIL ROOM

Friday 12-11-92

Feds watch for cable TV rate hikes before law takes effect

WASHINGTON (AP) - Federal regulators say they'll keep a close eye on any big cable TV price increases that occur before a new cable TV rate-regulation law goes into effect.

At its monthly meeting Thursday, the Federal Communications Commission approved several steps in the rule-making process for enforcing the new law and cautioned FCC staff to be on the lookout for abusive rate hikes.

FCC Chairman Alfred Sikes said cable television rate increases before the law is fully implemented "need to be targeted and scrutinized."

The law that put monopoly cable television systems back under federal control was passed over President Bush's veto in October. It requires the FCC to establish a rate formula for "basic" cable service, which includes all local broadcast stations and public and government access cable stations.

It also requires the FCC to set specific service standards and make rules to enable cable competitors to get access to programming now seen on cable.

Public comment must be gathered before the FCC rules will be final.

But in the interim, scattered rate increases by cable companies have occurred.

In a letter Wednesday to the FCC, the senators and House members who led the fight for the new law urged the commission "to pay particular attention to those cable operators who rush through rate increases in anticipation of rate regulation."

"Some cable operators have even asserted that their rate increases are a result of the Cable Act. These assertions are false," said the letter from Sens. Ernest Hollings, D-S.C., Daniel Inouye, D-Hawaii, Slade Gorton, R-Wash., John Danforth, R-Mo., and Reps. Edward Markey, D-Mass.,

and John Dingell, D-Mich.

"Nothing in the act requires rate increases. To the contrary, the act gives the FCC and local governments new authority to regulate rates."

FCC members cautioned their staff to pay special attention to provisions for rollbacks and refunds as they work on regulations.

In other business, the FCC:

■ Opened the door to further development of a new technology that could become a competitor to cable television.

Known as CellularVision, it is a microwave system that uses cells, similar to the concept by which cellular telephone operates, to transmit

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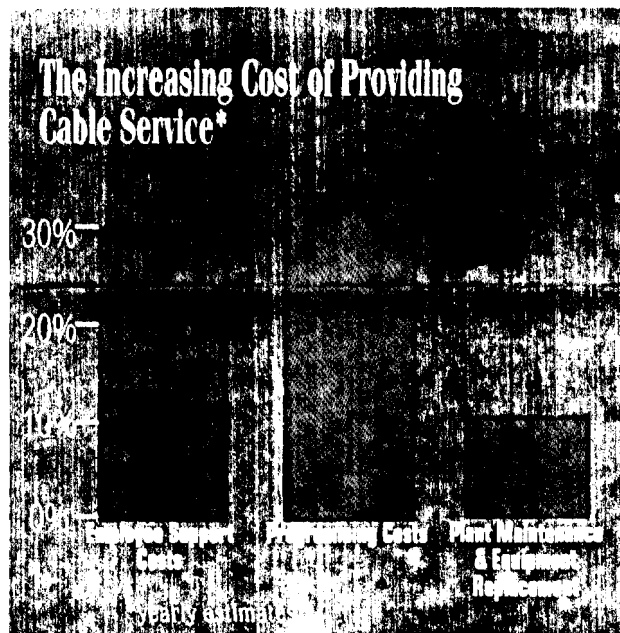
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Full CVI Service offers:

- Over 20,000 programming choices a month
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- Made-for-cable movies with prize-winners like James Earl Jones and Vanessa Redgrave
- Original series, exclusive concerts and sports.
- 24-hour news and around-the-clock weather

And without the licensing fees paid by CVI and other cable operators, the development of new programming on A&E, TNT, The Discovery Channel, and other services, would not have been possible. And our commitment helped support the growth of CNN and C-SPAN, where even world leaders turn for news.

LEONA PETERSON
69 FOSTER STREET
NEW HAVEN, CT 06511

DEC. 8, 1992.

DocuNETS
MM 92-266

ALFRED C. SIKES, CHAIRMAN
FEDERAL COMMUNICATIONS COMMISSION
1919 M STREET NW
WASHINGTON, D.C. 20554

RECEIVED
DEC 17 1992
FEDERAL COMMUNICATIONS
OFFICE OF THE SECRETARY

DEAR SIR:

I AM WRITING TO EXPRESS MY OPPOSITION TO ANY RULES GIVING CABLE OPERATORS AUTHORITY TO CENSOR OR OTHERWISE CONTROL IN ANY WAY REG CHANNELS THROUGH THE 1992 CABLE ACT OR BY ANY OTHER MEANS.

MULTINATIONAL COMMUNICATIONS ORGANIZATIONS PRESENTLY HAVE NEAR TOTAL CONTROL OVER OUR MEANS OF COMMUNICATIONS, THEREBY, DEPRIVING THE MAJORITY OF AMERICAN CITIZENS OF ACCESS AND CIRCULATIONS OF THEIR OWN IDEAS AND THEIR OWN VOICE. THAT, I BELIEVE, IS IN VIOLATION OF THE ORIGINAL INTENT OF THE FIRST AMENDMENT WHICH SOUGHT A WAY FOR EVERYONE TO BE HEARD REGARDLESS OF THEIR ECONOMIC STATUS. TODAY, ONLY THE RICH AND POWERFUL HAVE ACCESS TO THE PUBLIC AT LARGE.

THERE IS A CRYING NEED AND DESIRE FOR CITIZENS TO BE HEARD AND FOR THEM TO CONTROL OUR MEANS OF COMMUNICATIONS IN AN OPEN AND DEMOCRATIC FASHION SO THAT EVERYONE HAS EQUAL ACCESS. ANY ADDITIONAL AUTHORITY OR CONTROL GIVEN TO CABLE OPERATORS FLIES IN THE FACE OF THAT NEED. IT IS DIRECTLY OPPOSITE TO WHAT THE FCC SHOULD BE DOING WHICH IS PROTECTING THE RIGHTS OF ALL AMERICANS AND SEEKING TO INCLUDE AND STRENGTHEN THE VOICE OF THE PEOPLE.

LEONA PETERSON

Leona Peterson

COPIES TO: SEN. CHRISTOPHER J. DODD
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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

December 8, 1992

VIDEO SERVICES

Viacom Cable
Marketing Dept.
1111 Anderson Drive
San Rafael, CA 94901

To Viacom Marketing,

I recently moved from Palo Alto, California to Mill Valley and was struck by the high costs for your meagre services. First of all, I am currently paying as much for 30 channels with Viacom as I was paying for 60 channels with the Cable Co-op system in Palo Alto! What is the reason for these high charges for such diminished service?

* || Second, I am required to pay \$5.00 per month to simply rent the remote control device—a charge of \$60.00 per year for equipment that surely does not cost more than \$10.00 if I were to buy it in a store! This is an outrageous ripoff of consumers! When I asked your customer service representative how this could be justified, she told me that most customers were not aware that the remote control unit was provided free or at a modest charge in other service areas. I asked if ignorance of fair business practices in other communities was the only justification of this excessive charge and she had no answer to this direct question.

I am in favor of the free market, but you have a monopoly in your service area and you are taking undue and unconscionable advantage of your customers! You people deserve all of the regulation that you will get under the new administration! If you have any justification for the above complaints I would like to hear them.

Sincerely,

Duane Elgin

Duane Elgin

cc: FCC and Edward Markey, Telecommunications Subcommittee

December 7, 1992

Chairman Sykes & Commissioners
Federal Communications Commission
1919 M Street NW
Washington, DC 20554

Dear Chairman Sykes,

Recent litigation regarding the future of PEG Access Television by Time Warner Inc. is a chilling example of just how greedy America's cable companies have become, as well as a good example of their lack of commitment to the American consumer. The sad fact is that no matter what becomes of PEG Access, the good people who enjoy diverse television programming can be assured of two things:

- (1) that cable prices will go up, regardless of any legislation action,
- and (2) that as long as there is no mandatory competition among cable companies, service will continue to be dismal, and new technologies slow to take hold.

As an access television professional with a telecommunications education, I am certain that PEG access is, and will continue to be, not only a community soap box of ideas and opinions found nowhere else on the cable selection box, but also a source of employment for more than 125,000 people world-wide; in fact, 70% of all access television professionals are employed right here in the United States.

Warner's claim that mandatory funding of adequate PEG access channels is "unconstitutional" couldn't be more ridiculous. Cable companies currently provide, as part of most licensing agreements with the cities and towns in which they operate, a MAXIMUM of 5% of their gross cable profits towards the operating budgets of the respective PEG outfits. Considering that cable television in general is considered a low-maintenance, high-profit industry to begin with (after the initial seven year period following an establishing of services), and that most cable companies have already gone way past that seven year period, the profit margin for most of these companies is stupendous; how any cable company can argue that 5% per year given back to the community is "unconstitutional" defies logic. Consider further what the result would be if all PEG access centers were dissolved:

- (1) 7,500 - 9,500 individuals are now out of work, forced to try to enter other areas of television like commercial broadcast or cable networks - an industry that has cut 30% of its employees since 1987, and increased working hours of those who survived layoffs by 25%.

(over, please)

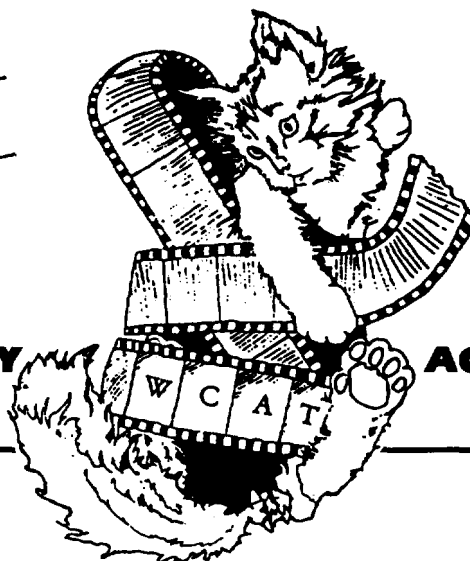
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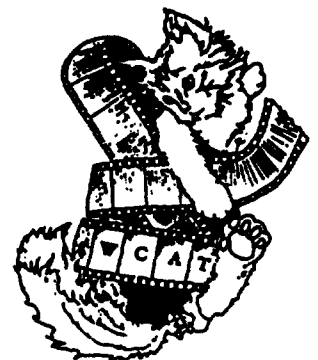
- (2) The community is now left with equipment, cablecast facilities, and existing physical plant facilities with no staff, limited or non-existent instruction, and no community involvement in the management of community programming.
- (3) The cable companies are now 5% richer per year, which will be nothing more than a drop in the bucket in the way of found revenues for these monstrous outfits.

I urge you, in closing, to understand that **even the slightest regulations** on community television management, programming, or funding will result in little gain the cable companies, and a great, great loss to their respectively served communities. Imagine, for a minute, if we all made ten times what we are making now, and were asked to give only 5% of our income per year to the government for tax purposes. Would we as individuals have a right to complain? Hardly.

Sincerely,



Jim Barr
Program Coordinator, WCAT



MM-92-266

MARJORIE S. NEWELL, Ph.D.

1106 Westerly Parkway
State College, PA 16801
December 5, 1992

RECEIVED

TCI of Pennsylvania
P.O. Box 371439
Pittsburgh, Pa. 15250-7439

DEC 17 1992

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Sirs:

I first subscribed to cable television in State College, Pa. in 1970. At that time it was known as CENTRE VIDEO and cost \$7.76 and perhaps less. Beginning January 1, 1993, you are increasing your rates, again, and I shall have to pay \$26.81 per month, at least, if I continue with your service. This is an increase of nearly 300% even without the extra charges for "nonaddressable converter" and remote.

On the flyer announcing these rate increases you say, "CABLE'S STILL A GREAT BUY". That is a matter of opinion and one which I do not share. What you have provided is a vastly extended number of channels; however, quantity is not quality. And \$26.81 per month is just too much to pay for a handful of programs per month that are worth watching.

Actually, most frequent use of TV here is for CNN's news. And that is a questionable value since surveys off voters during the recent election by F.A.I.R. found that the more TV news people watched, the more misinformed they were about factual matters concerning the candidates and their positions. So one could say that watching too much TV news could be dangerous to your health.

Furthermore, for the \$321.72 per year that I would have to pay for Cable TV, I could subscribe to at least a dozen more magazines and still have enough left to buy a respectable number of paperback books instead--a far greater bargain and much more entertainment per dollar.

I am seriously thinking of discontinuing cable service after the first of the month as I had been promising myself for several years that I would do so with the very next increase of rates. For anyone living in State College, due to geographic conditions, no cable means no TV for all intents and purposes. However, I am sure I can survive without it.

Sincerely,

Marjorie S. Newell

cc: FCC

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Chairman Sikes & Commissioners
Federal Communications Commission
1919 M Street NW
Washington, D.C. 20554

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DEC 17 1992

RE: Federal Communications Commission Threats
to WCAT and Public Access

COMMISSION
OFFICE OF THE SECRETARY

Dear Chairman Sikes,

Once again, Public, Educational and Government Access (PEG) in Winthrop is under attack by our own government-- this time the Federal Communications Commission and the 1992 Cable Act. Winthrop Community Access Television, Inc. (WCAT), as the PEG administrator for the Town of Winthrop, is providing comment on the proposed rule making.

The newest threat is the Censorship Provisions added to the 1992 Cable Act. The deadline for comments to the FCC is December 10, 1992. The proposed FCC rule would allow the cable operator to prohibit certain types of speech on Winthrop's PEG channels.

WCAT opposes all attempts to censor or restrict freedom of speech by Winthrop residents. The FCC rule would mean that Cable operators could demand that WCAT and/or every one of our 150 volunteer producers (ages 12 to 78) to perhaps post a \$100,000 or \$1,000,000 bond to put a local Winthrop show on WCAT's Channel 3. WCAT could be held criminally libel for violations.

How could this FCC rule affect us today, here in Winthrop? Perhaps the Winthrop Board of Selectmen, as a result of this FCC ruling, would have to post a bond guaranteeing to Warner Cable that the Selectmen's Meetings contains no "obscene material, sexually explicit conduct, or material soliciting or promoting unlawful conduct." However, if the Selectmen for some reason (or perhaps a citizen in the audience) advocated civil disobedience against the M.W.R.A. or Boston Gas (not unlikely, given our history), the Selectmen/Town would be libel for such speech under these censorship rules. And/or WCAT would have to prevent the Selectmen or public from speaking on Channel 16.

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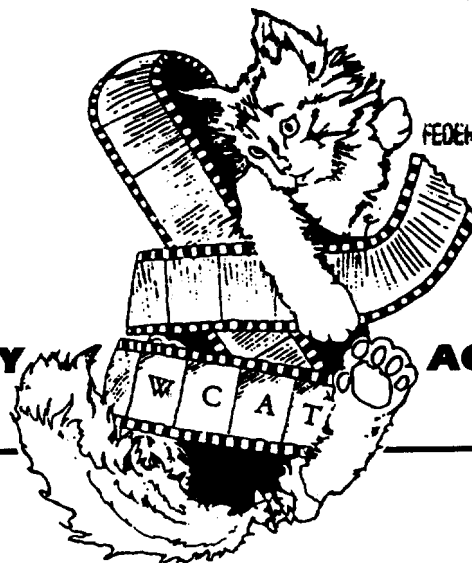
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WINTHROP COMMUNITY

ACCESS TELEVISION

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Page 2

As another example, if the Winthrop Public Schools produced a program on Educational Access Channel 15 about students who drink alcohol or a social studies debate on legalizing marijuana, or this might also be considered "material soliciting or promoting unlawful conduct."

On Public Access Channel 3, a rock video that wouldn't raise an eyebrow on MTV or even a show on AIDS education would be censored because it might contain information about "sexually explicit conduct."

P.S. These FCC rules don't even apply to Warner Cable's other channels: CNN, or Headline News, or MTV or HBO -- *just WCAT and other Public Access Channels!* You must be aware that many of these soon-to-be-censored forms of speech are CONSTITUTIONALLY PROTECTED FORMS OF SPEECH.

The final result of this FCC rule could be: Volunteers who produce Public Access programs would stay away and not produce programs; WCAT would be thrust into "the censorship business" and spend hundreds of valuable staff hours to pre-censor every single minute of Winthrop programs, thus limiting equipment and other financial resources used to produce Winthrop programs; live programs such as Selectmen and School Committee meetings or Ask The Inspectors would end because they could not be pre-censored; Winthrop's community TV station might simply cease to exist because of lawsuits and insurance requirements.

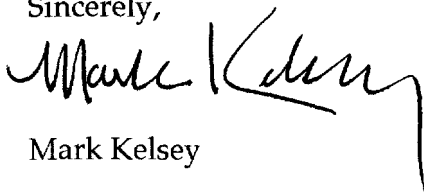
In conclusion, we

- 1) Oppose this part of the 1992 Cable Act which attaches liability for the content of PEG programming and the FCC's Censorship Rules of PEG Access.
- 2) (the lawsuits have begun) Oppose the Time-Warner lawsuit which would eliminate WCAT altogether -- to make more room for Warner-owned channels like "Comedy Central"! . This suit seeks to eliminate the Selectmen's authority over Warner Cable and asks to have declared unconstitutional "government speech" (the G in PEG, including Selectmen's Meetings) on cable.

As you can see, the FCC's interpretation of the '92 Cable Act could seriously cripple Winthrop's non-profit community television and the hard work of so many WCAT volunteers here in Winthrop.

Your support of WCAT and PEG Access is appreciated.

Sincerely,


Mark Kelsey

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